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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,723	08/05/2000	Sher (Karim) Sachedina	BOYKP103us	2558
7590	08/18/2005		EXAMINER	
Himanshu S Amin Amin Eschweiler & Turocy LLP 24th Floor National City Center 1900 East 9th Street Cleveland, OH 44114			MEINECKE DIAZ, SUSANNA M	
		ART UNIT	PAPER NUMBER	
		3623		
DATE MAILED: 08/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/634,723	SACHEDINA, SHER (KARIM)
	Examiner	Art Unit
	Susanna M. Diaz	3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 30 June 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,3-8,11,16,21-33,41-48,57 and 58 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,3-8,11,16,21-33,41-48,57 and 58 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 6/30/05 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

1. This final Office action is responsive to Applicant's amendment filed June 30, 2005.

Claims 1, 3-5, 8, 11, 21-23, 25, 26, 28-30, 32, 41-46, and 48 have been amended.

Claims 57 and 58 have been added.

Claims 47 and 49-56 have been cancelled.

Claims 1, 3-8, 11, 16, 21-33, 41-48, 57, and 58 are presented for examination.

Response to Arguments

2. Applicant's arguments filed June 30, 2005 have been fully considered but they are not persuasive.

Applicant argues that storage of data on a computer readable medium or to a computer readable database is an example of pre-computer activity that results in a physical transformation of data outside of the computer, thereby rendering claims 22-33 and 41-47 statutory (page 17 of Applicant's response). The Examiner respectfully disagrees. Mere storage of data to a database contained within the computer does not affect activities external to the computer. Even if data is stored to a disk that is separate from the computer, mere storage of data on any medium is not in and of itself representative of a transformation of data outside of the computer. In Applicant's provided example of "receiving data of business activities," the storage of data does not affect the activity itself. As a matter of fact, the phrase "of business activities" merely

specifies the *type* of data that is being received. However, expressly using such data to calculate, by a computer/processor, a useful value or result would be statutory. For example, if supported by Applicant's specification and properly amended to expressly perform the steps of "determining a value..." (claim 22) and "computing...a value..." (claim 41) by a computer/processor, claims 22-33 and 41-47 would become statutory.

Applicant argues that "Groat, et al. teaches one way to derive base data for an account, however, the reference does not disclose, teach, or suggest that this derived data can be further analyzed for patterns or an impact the identified base data had on a designated account. Accordingly, the cited document does not disclose, teach, or suggest 'a third user interface element **characterizing an impact value derived from the base data**, the impact value is adapted to adjust the base data **to provide adjusted data for the at least one account.**'" (Page 18 of Applicant's response) The Examiner respectfully disagrees. First, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "this derived data can be further analyzed for patterns or an impact the identified base data had on a designated account") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Second, Figure 1 of Groat shows various relationships among monthly income, bank account, taxes, bills, expenses, etc. Equations are established to reflect these relationships (e.g., see the

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equation defining amount of value to be added to the bank account in ¶ 35). Further, ¶ 38 explicitly states:

For example, when the numerical invention of the present invention represents a household budget, the adjusted value of the account object "bank account" can be "dependent" or "based" on the value of an income inflow object, the value of a income tax outflow object, the initial value of the bank account object, an interest rate property of the bank account object, and a condition being met, i.e., the last day of the month occurring and thus causing the bank account object to accrue interest. Similarly, the interest rate property itself is "based" on a time dependent condition, i.e., the last day of the month occurring.

The numerical factors defining a quantifiable relationship among each of the disclosed factors (e.g., accounts, income, taxes, expenses, etc.) are examples of impact values that provide adjusted data for at least one account.

Applicant broadly traverses Examiner's following statement of Official Notice: Official Notice is taken that it is old and well-known in the art of computer presentations to concurrently display various factors, scenarios, etc. that are being compared to one another. The Examiner provides the following references in support of this Official Notice statement (please see highlighted key words in particular):

- (1) Bailey ("CAD-Assisted Water Modeling at the District of Surrey")
- (2) Cohn ("Linking Planning to Tax Prep; Part 1 of 2 Parts")
- (3) Anonymous ("Mobius Group: Corporation Overview")
- (4) Terry ("Where to Browse for Great Rates on Loans and More")
- (5) Vogt ("Money. It Makes the World Go 'Round")
- (6) Sedgwick ("PRO*FAS Fixed Asset System")

(7) "Can Software Do the Hard Parts?"

(8) Rosen ("Want to Reduce Those Tax Bills for 1993?")

Applicant also broadly challenges the motivation in the 103 rejection; however, Applicant does not explain any concrete reasoning for such a challenge. The Examiner maintains her motivational line of reasoning, as set forth in the art rejection.

In summary, Applicant's arguments are non-persuasive and the art rejection is maintained.

Claim Objections

3. Claim 48 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. One could infringe on claim 48 without necessarily infringing claim 41; therefore, claim 48 is an improper dependent claim.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 22-33 and 41-47 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts.

As to technological arts recited in the preamble, mere recitation in the preamble (i.e., intended or field of use) or mere implication of employing a machine or article of manufacture to perform some or all of the recited steps does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble.

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the component does not apply, involve, use, or advance the underlying process. Merely storing data in an electronic database exemplifies a nominal use of technology.

Claims 22-33 and 41-47 produce a useful, concrete, and tangible result; however, claims 22-33 and 41-47 only recite a nominal use of technology, which does

not effect any of the core steps of the invention (e.g., a calculation or analysis step). Therefore, claims 22-33 and 41-47 are deemed to be non-statutory.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 57 and 58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 57 and 58 recite a computer system; however, no system elements are recited. Therefore, the metes and bounds of claims 57 and 58 are not clearly defined, thereby rendering the claims vague and indefinite.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1, 3-5, 11, 16, 21-32, 41, 44-46, 48, 57, and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by Groat et al. (US 2001/0032155 A1).

Groat discloses a user interface to facilitate at least one of analysis and planning of business operations, comprising:

[Claim 1] a first user interface component for selecting operating parameters for at least one of a budgeting and forecasting process, the selected operating parameters including at least one account of a plurality of defined accounts and a time period associated with the at least one process (Fig. 1; ¶¶ 44, 59, 62, 71);

a second user interface element characterizing a method component used to derive base data for the at least one account (Fig. 1; ¶¶ 32-39, 59);

a third user interface element characterizing an impact value derived from the base data, the impact value adjusts the base data to provide adjusted data for the at least one account (Fig. 1; ¶¶ 32-39, 59); and

a display portion having display areas adapted to display an indication of at least one of the base data and the adjusted data for the at least one account (Fig. 1; ¶¶ 32-39, 59);

the second and third user interface elements are selectable to effect a change in the respective method component and impact value associated with the at least one account (Fig. 1; ¶¶ 32-46, 53, 59);

[Claim 3] the third user interface element, upon being selected, is adapted to display a list of active impact components associated with the at least one account, each of the

impact components being selectable to modify attributes associated with each respective impact component (Fig. 1; ¶¶ 53, 59);

[Claim 4] the impact value for the at least one account is an aggregate of impact values from each of the active impact components (¶¶ 32-46, 53, 59);

[Claim 5] the at least one account includes a plurality of selected accounts of the plurality of defined accounts, each account of the plurality of selected accounts having an associated second user interface element characterizing a method component used to derive associated base data and an associated third user interface element characterizing an impact value adapted to adjust the corresponding derived base data and provide adjusted data for each respective account, the display portion having display areas adapted to display an indication of at least one of the base data and the adjusted data for each of the plurality of selected accounts (Fig. 1; ¶¶ 32-46, 53, 59);

each of the second and third user interface elements are selectable to effect a change in the respective method component and impact value associated with an associated one of the plurality of selected accounts (Fig. 1; ¶¶ 32-46, 53, 59);

[Claim 11] the third user interface element further characterizes key result area data associated with the at least one account, the key result area data including a key result area impact value indicative of a desired result for the at least one account, the key result impact value corresponding to at least part of the impact value (Fig. 1; ¶¶ 32-46, 53, 59, 68, 86);

[Claim 16] a fourth user interface element that characterizes a selectable manual impact value associated with the at least one account, the fourth user interface element

being associated with a method component adapted to generate key result area data having another key result impact value corresponding to the manual impact value, the manual impact value corresponding to at least part of the impact value (Fig. 1; ¶¶ 32-46, 53, 59, 68, 86);

[Claim 21] the third user interface element is operatively associated with a key result area component that characterizes a desired result for the at least one account, the key result area component providing data indicative of a key result impact value for the at least one account, the third user interface element being further associated with an action plan component that characterizes a objective for another account of the plurality of accounts, the action plan component including data indicative of an action plan impact value for the at least one account that identifies a cost factor associated with achieving the objective (Fig. 1; ¶¶ 32-46, 53, 59, 68, 86).

Groat discloses a computer implemented method to facilitate at least one of budgeting, planning, analysis and forecasting, the method comprising the steps of:

[Claim 22] receiving data indicative of business unit activities (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

storing the data to respective accounts of a plurality of accounts on a computer readable medium (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

generating base data for each selected account of the plurality of accounts, each selected account including an associated method that is applied to the stored account data to determine the base data (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

defining impact data having an impact value derived from the base data for at least one account of the plurality of accounts (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

determining a value of adjusted data as a function of the impact data and the base data (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 23] the impact data includes key result area data having a definable key result area impact value indicative of a desired result for the at least one account, the defined impact value for the at least one account including the key result area impact value (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 24] selectively modifying the key result area data which, in turn, modifies the defined impact value (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 25] the key result data further includes an associated method component that is applied to at least one of the stored account data and the base data to derive the key result area impact value (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 26] the impact data further includes action plan data having an action plan impact value for the at least one account indicative of a cost associated with achieving an objective for at least one of the plurality of accounts related to the adjusted budget data, the defined impact value for the at least account including the action plan impact value (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 27] selectively modifying at least one of the key result area data and the action plan data, which, in turn, modifies the defined impact value according to the step of selectively modifying (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 28] the adjusted data defines a first budget, the method further including modifying at least one of the key result area data and the action plan data and generating a second adjusted budget based on the modified user interface element (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 29] the impact data includes action plan data having an action plan impact value for the at least one account indicative of a cost associated with achieving an objective for at least a second account of the plurality of accounts, the defined impact value for the at least one account including the action plan impact value (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 30] the action plan data further includes an associated method that is applied to at least one of the stored account data and the base data to derive the action plan impact value (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 31] defining calendar data having a calendar time period and a starting day and aligning a plurality of time periods in the stored account data relative to the starting day (¶¶ 44, 62, 71);

[Claim 32] aligning further includes locating a day in each of a plurality of time periods associated with stored account data that matches the starting day of the calendar data (¶¶ 44, 62, 71); and

aligning each of the plurality of time periods of the stored account data so that each of the plurality of time periods has a starting day that matches the starting day of the calendar data, whereby each day associated with each of the plurality of time periods is aligned with a corresponding day of the calendar time period (¶¶ 44, 62, 71).

Groat discloses a computer implemented method to facilitate budgeting, planning, analysis and/or forecasting comprising:

[Claim 41] receiving data that pertains to business unit activities (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

storing the data to a computer readable database as a hierarchical chart of accounts, each account representing a unit of a larger business (Fig. 1; ¶¶ 32-46, 49-57; 53, 59, 62, 68, 71, 86 -- ¶¶ 49-57 explain that the values corresponding to the icons shown in Fig. 1 are stored as hierarchical relationships. An icon can be broken down into sub-icons related to that icon. For example, a "household income" group icon can be broken down into various "individual income" icons to separately represent the income of each household member. In this example, the "household income" functions as the recited "larger business" while various "individual incomes" represent units of the "larger business." Since these relationships are stored in such a manner that allows the relationships to be represented graphically, including the use of a spreadsheet with cells to store the values to be displayed, it is understood that the data pertaining to business unit activities is stored to a database as a "hierarchical chart of accounts"; Incidentally, ¶ 29 also states that Groat's invention may be applied to an individual, a household, a business, etc.);

generating base data for select accounts from the stored data for a select period of time utilizing at least one method associated with one or more accounts (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

defining an impact value derived from the base data for at least one account based on circumstances external to business operations (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86); and

computing and providing a value of adjusted data as a function of impact data and the base data (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 44] the impact value is defined based on a desired result (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86 -- The establishment of an equation is used to yield a desired answer or result);

[Claim 45] the impact value is defined based on an event (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86);

[Claim 46] the computing adjusted data comprises applying an impact to a plurality of accounts based on account relationships as defined by the chart of accounts (Fig. 1; ¶¶ 32-46, 49-57, 53, 59, 62, 68, 71, 86);

[Claim 47] wherein base data is generated by a method associated with each account (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86).

[Claims 48, 57, 58] Claims 48, 57, and 58 recite limitations already addressed by the rejection of claims 22 and 41 above; therefore, the same rejection applies.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 6-8, 33, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groat et al. (US 2001/0032155 A1), as applied to claims 1, 5, 31, and 41 above.

[Claims 6-8] Groat allows a user to view the effects of different factors on a financial model over a given period of time (Fig. 1; ¶ 71); however, the user is limited to viewing these effects by date. In other words, Groat does not expressly state that data from different periods of time is displayed concurrently. Nor does Groat explicitly disclose the concurrent display of the effects of various factors on the financial model. However, Official Notice is taken that it is old and well-known in the art of computer presentations to concurrently display various factors, scenarios, etc. that are being compared to one another. The concurrent display of compared information facilitates the quick and efficient assessment of data due to its proximity and organized arrangement on a single display screen. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to enhance Groat's fourth user interface with the ability to, upon activation, concurrently display the adjusted data and corresponding data for each of the plurality of selected accounts for a different period of time from that shown in the display areas based on account data stored in connection with each of the plurality of selected accounts (claim 6) and, upon activation, concurrently display the adjusted data and corresponding data for the at least one account for a different period of time from that shown in the display area based on

account data stored for the at least one account (claim 7), wherein the fourth user interface component further is adapted to display a daily comparison of the adjusted data and the corresponding data from the at least one account (claim 8) in order to facilitate the quick and efficient assessment of the recited data due to its proximity and organized arrangement on a single display screen, which is consistent with Groat's goal of "[allowing] a user to see how the status of the financial model will change over a given period of time" (¶ 71).

[Claim 33] Groat teaches the step of designating the at least one account for a selected event and determining an attribute impact value for the designated account, the attribute impact value being determined as a function of the stored account data for the designated account for a corresponding event in the stored account data, the defined impact value for the at least one account including the attribute impact value (Fig. 1; ¶¶ 32-46, 53, 59, 62, 68, 71, 86). Groat fails to expressly disclose that the corresponding event occurs in at least one other year; however, Groat does disclose an individual's retirement date as being an account-affecting factor (¶ 59). Additionally, Official Notice is taken that it is old and well-known in the art of retirement planning that many people who take it upon themselves to implement a retirement plan do so at least one year prior to actually retiring. This practice helps to ensure that one will have sufficient income on which to survive after retirement. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to utilize Groat's invention with a designated account for a corresponding event in at least one other year in order to reap the benefits of Groat's

invention in a financial application that requires long-term planning, such as retirement planning.

[Claims 42, 43] Groat discloses that a user enters data pertaining to business unit activities (¶ 32); however, Groat does not expressly teach that the data may also be received from a point of sale (claim 42), a store, or a department (claim 43). However, Official Notice is taken that it is old and well-known in the art of financial data collection to import data from a point of sale, a store, or a department for use in financial analysis. Such an automated data collection speeds up the process of gathering relevant financial data and reduces human error commonly introduced by manual entry of data. Since Groat discloses the type of data that is commonly related to data collected from a point of sale, a store, or a department (e.g., Fig. 1 discloses various personal expenses that affect one's household budget), the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to gather related data directly from a point of sale (claim 42), a store, or a department (claim 43) in order to speed up the process of gathering relevant financial data while reducing human error commonly introduced by manual entry of data.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 10 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susanna Diaz
Susanna M. Diaz
Primary Examiner
Art Unit 3623

August 15, 2005